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5 Attorney for Debtor(s),
6 Gerald and Claudia Lawler

7 **UNITED STATES BANKRUPTCY COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
9 **Modesto Division**

10 IN RE:) Case No. 09-90140
11 GERALD LAWLER and) DCN: TPH-001
12 CLAUDIA LAWLER,) Date: March 31, 2010
13 Debtor(s).) Time: 10:30 a.m.
14) Place: 1200 I St., Ste.4
15) Modesto, CA
16) Dept: E

17 **DECLARATION OF DEBTORS, GERALD AND CLAUDIA**
18 **LAWLER, IN SUPPORT DEBTORS' MOTION TO**
19 **ABANDON DEBTORS' REAL PROPERTY**

20 We, Gerald and Claudia Lawler, declare:

21 1. We are the debtors in the above-referenced case. We state the following facts on our
22 own personal knowledge and know them to be true, except those facts stated on
23 information and belief, which facts we are informed and believe to be true.

24 2. We filed a Chapter 7 proceeding in this jurisdiction on January 22, 2009.

25 3. At the time of filing the Chapter 7 proceeding we intended to retain our residence
26 with 1st and 2nd mortgages owing to Wells Fargo Bank.

4. On February 11, 2009, we amended the Statement of Intention to surrender the real
property.

5. Wells Fargo Bank filed a Motion for Relief from the Automatic Stay which was
granted by minute order on June 26, 2009.

1 6. There is currently a short sale pending for the real property. Wells Fargo requires an
2 order from this court to complete the sale.

3 7. The total of the 1st and 2nd mortgages, \$900,000.00 and \$248,283.00 respectively,
4 exceed the selling price of \$750,000. We will receive no funds from this transaction.

5
6 We declare under penalty of perjury that the foregoing is true and correct and if
7 called as a witness we would testify competently thereto.

8
9 Executed this 12th day of February, 2010 at Modesto, California.

10
11 Gerald Lawler
12 Gerald Lawler

13 Claudia Lawler
14 Claudia Lawler